Attorney Docket No.: 16976-000210US

## **DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first	st and sole
inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of	the subject
matter which is claimed and for which a patent is sought on the invention entitled: A METHOD FOR IMPROVING TH	
LIFE OF SOLUBLE VIRAL RECEPTORS ON MUCOSAL MEMBRANES the specification of which is attache	ed hereto or
X was filed on April 14, 2000 as Application No. 09/549,261 was amended on (if applicable).	

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Constitution of the second

				Priority Claimed Under
- [	Country	Application No.	Date of Filing	35 USC 119
-				
- 1	,			

Fhereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/129,722	April 16, 1999

Eclaim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT inter+national filing date of this application:

Application No.	Date of Filing	Status
	1	

Full Name of	Last Name:	First Name:	Middle Name or I	nitial:
Residence & Citizenship:	City: Palo Alto	PETER State/Foreign Country: California	Country of Citizer USA	nship:
Post Office Address:	Post Office Address: 2161 Valparaiso Avenue	City: Menlo Park	State/Country: California	Postal Code: 94025

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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1

Peter P. Lee

Date September 20, 2000

SF 1087460 v1

## POWER OF ATTORNEY BY ASSIGNEE

	SOLUBLE VIRAL RECEPTORS ON MUCOSAL MEMBRA:  was filed on x as Application Serial No. 09/549,261.	NES, the specification of which is attached hereto or _	
	Assignee hereby appoints the following attorall business in the Patent and Trademark Office connected thereby	ney(s) and/or agent(s) to prosecute this application and transact with.	
	Kenneth A. Weber, Reg. No. 31,677 Timothy L. Smith, Reg. No. 35,567 Annette S. Parent, Reg. No. 42,058 Joseph S. Snyder, Reg. No. 39,381		
<b>.</b>	Send Correspondence to:	Direct Telephone Calls to:	
	Kenneth A. Weber TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8 <sup>th</sup> Floor San Francisco, CA 94111-3834	Kenneth A. Weber Reg. No.: 31,677 (415) 576-0200	
	Date: September 20, 2000	Osel, Inc.  By:  (Signature)  Name: Peter P. Lee Title: President	
	SF 150969 v1 SF 1132514 v1		

Attorney Docket No.: 16976-000210US

## ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, Peter P. Lee, of 2161 Valparaiso Avenue, Menlo Park, California, 94025, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: A METHOD FOR IMPROVING THE HALF-LIFE OF SOLUBLE VIRAL RECEPTORS ON MUCOSAL MEMBRANES

Date(s) of execution of Declaration:

Filing Date:

04/14/2000

Application No.:

09/549,261 and

WHEREAS, Osel, Inc., of 2375 Garcia Avenue, Mountain View, California, 94043, a California corporation, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two

IN TESTIMONY WHEREOF, Assignor has signed his her name on the date indicated. Peter P. Lee STATE OF CALIFORNIA SS. COUNTY OF \_, personally appeared On \_, before me, , personally known to me (or proved to me on the basis of satisfactory evidence) Peter P. Lee to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. WITNESS my hand and official seal. NOTARY PUBLIC My Commission Expires:

SF 1132484 v1